

Appl. No. 10/780,172

Amendment and Response dated November 8, 2004

Reply to Office Action of October 4, 2004.

REMARKS/ARGUMENTS

Claims 1-13 remain in this application. The claims have not been amended, i.e., all claims remain in their original form.

Applicant has filed concurrently herewith one (1) Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) and the required fee under 37 C.F.R. §1.20(d), as follows:

a Terminal disclaimer with respect to prior Patent No. 6,627,814.

In the Office Action of October 4, 2004, claims 1-13 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 59-61 of U.S. Patent No. 6,627,814. The conflicting Patent No. 6,627,814 is commonly owned with this application. In view of the concurrently filed Terminal Disclaimer with respect to prior Patent No. 6,627,814, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant has carefully reviewed the Office Action dated October 4, 2004. Applicant has addressed each issue raised by the examiner. Reconsideration and favorable action is respectfully requested.

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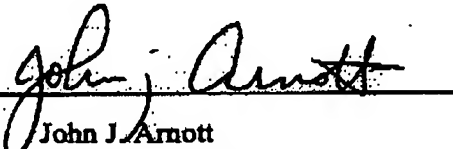
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Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims pending in the application. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/STRK-26,621 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,

HOWISON & ARNOTT, L.L.P.

By 
John J. Arnott
Reg. No. 39,095
Tel.: (972) 680-6059

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HOWISON & ARNOTT, L.L.P.
P.O. Box 741715
Dallas, TX 75374-1715
Tel.: (972) 680-6059
Fax: (972) 479-0464